

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 08-CR-20419

Plaintiff,

Sean F. Cox

United States District Judge

vs.

DONALD DOVER,

Michael Hluchaniuk

United States Magistrate Judge

Defendant.

ORDER MODIFYING CONDITIONS OF BOND

Defendant was originally charged in a complaint with violations of federal criminal laws and released on bond on July 17, 2008. An indictment was returned on August 6, 2008 (Dkt. 1) and defendant appeared in court that same day for purposes of an arraignment. The bond conditions that had been set on July 17, 2008, were reinstated as to the indictment. (Dkt. 5). Those conditions included a curfew and electronic monitoring, which were implemented. The government filed a motion for arrest warrant and revocation of bond on August 25, 2009, (Dkt.119).

A hearing was held on the motion on August 25, 2009. At the hearing, the government stated that the defendant was found to be at a residence other than where he was ordered to reside during the execution of a search warrant in Flint

Township on the morning of August 25, 2009, in violation of his bond. During the course of the hearing the attorney for the defendant argued that while the defendant was at the residence without permission of the Court, that this was merely a technical violation of his bond, and that it did not warrant revocation of his release. The hearing was subsequently adjourned until August 28, 2009, and the defendant was temporarily detained.

On August 28, 2009, the parties requested that the Court adjourn the hearing in order for the parties to attempt to reach a compromise as to a modification of the conditions of his bond. On September 1, 2009, a withdrawal of request for detention was filed by the government. (Dkt. 123). In that document the government outlines a number of modified conditions of release which the parties have agreed in this matter.

Having reviewed the government's request for modification of bond, as well as the defendant's admission that he committed a technical violation of his bond, the defendant's bond conditions are modified as follows:

1. The defendant shall participate in a home confinement program, which shall include a curfew, as directed by the Pretrial Services Officer.
2. The defendant shall submit to electronic monitoring as directed by the

Pretrial Services Officer.

3. The defendant shall have no contact with any witnesses or co-defendants in this matter.
4. The defendant shall refrain from the possession of any firearm, destructive device, or other dangerous weapon.
5. The defendant shall reside at his mother's house, and shall not leave that residence without the permission of the Pretrial Services Officer.

All other conditions of the original order of release that have been previously set shall remain in effect. (Dkt. 9 in case 08-30317).

IT IS SO ORDERED.

Date: September 2, 2009

s/ Michael Hluchaniuk
Michael Hluchaniuk
United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on September 2, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send notification of such filing to the following: Nancy A. Abraham, AUSA, Richard D. Korn, Esq., and I certify that I have either hand delivered/ mailed by United States Postal Service the paper to the following non-ECF participants: Pretrial Services Agency and U.S. Marshal, 600 Church St., Flint, MI 48502.

s/James P. Peltier
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